



GARY R. HERBERT
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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

May 13, 2013

Certified Return Receipt
7011 0110 0001 3568 1038

Mark Baum
9648 N. Shiloh Way
Eagle Mountain, UT 84005

Subject: Division Directive to Submit a Notice of Intention to Commence Small Mining Operations or to Reclaim, Mark Baum, David Burton Property Mine, S/039/0033, Sanpete County, Utah

Dear Mr. Baum:

As per the requirements of R647-3-113.5, the Division of Oil Gas and Mining requires that all mining operations in the State of Utah submit and maintain a mining permit approved by the Division. The Division has not approved a mining permit for David Burton's property on Power Plant Road, east of Mount Pleasant that you re-mined for landscape rock. The Division has inspected the site multiple times, and has documented the need for mine reclamation.

You are hereby directed to EITHER:

- 1) Regrade all mining-related disturbance by June 9, 2013. The site will also need to be revegetated. Unless Mr. Burton prefers otherwise, it is recommended that the site be reseeded during the fall of 2013 on freshly-roughened soil.

OR

- 2) Submit a Notice of Intent to Commence Small Mining Operations (Notice), a Reclamation Contract, small mine permitting fees (\$150), and reclamation surety by May 20, 2013. The documents can be found at the Division website at http://linux1.ogm.utah.gov/WebStuff/wwwroot/minerals/permit_forms.html.

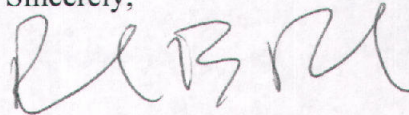
On April 22, 2013, you spoke with Peter Brinton of the Division, who explained the need for reclamation. We understand that you were not the first miner at this site. You are required to reclaim the disturbance for which you are responsible. Please contact us if you have any additional questions.

Page 2 of 2
Mark Baum
S/039/0030
May 13, 2013

Failure to either proceed with permitting or to complete reclamation as required may result in enforcement action.

If you have questions or concerns about this letter, please contact Peter Brinton at 801-538-5258, or me at 801-538-5261. Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read 'P. B. Baker', written in a cursive style.

Paul B. Baker
Minerals Program Manager

PBB: pnb: eb

cc: David Burton, landowner (441 S. 500 E., Mount Pleasant, Utah 84647)

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